

The Honorable Paul B. Snyder

Chapter 13

Hearing Date: May 6, 2010

Hearing Time: 1:00 PM

Hearing Location: Tacoma Courthouse, Tacoma, Washington

Response Due Date: **April 29, 2010**

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA

IN RE:

SHIRLENE McMURRAY,

Debtor(s).

Case No. 09-45271 PBS

Chapter 13

DEBTORS' ORIGINAL APPLICATION  
FOR REIMBURSEMENT OF FEES &  
COSTS WITH NOTICE OF HEARING &  
PROOF OF SERVICE

**PLEASE TAKE NOTICE** that hearing on Debtors' Original Fee Application Motion will be held on May 6, 2010.

JUDGE:	The Honorable Paul B. Snyder
PLACE:	1717 Pacific Avenue, Tacoma, WA 98402, Courtroom H
DATE:	May 5, 2010
TIME:	1:00 PM
RESPONSE DATE:	<b>April 29, 2010</b>

**IF YOU OPPOSE THE MOTION**, you must file your written response with the Court Clerk and deliver copies on the undersigned no later than the response date, which is **April 29, 2010**. If no response is timely filed and served, the Court may, in its discretion, grant the motion prior to the hearing, without further notice, and strike the hearing. Objections not on file and served as set forth may be deemed waived.

DATED this 5th day of April, 2010

DEBTORS' APPLICATION FOR REIMBURSEMENT OF  
FEES AND COSTS - 1

**SEATTLE DEBT LAW, LLC**

705 SECOND AVE., SUITE 1050  
SEATTLE, WASHINGTON 98104  
telephone (206) 324-6677  
fax (206) 447-0115

SEATTLE DEBT LAW, LLC

By: /s/ Christina Latta Henry  
Christina Latta Henry, WSBA 31273  
Attorney for Debtor

FEE APPLICATION MOTION

**COMES NOW** Christina Latta Henry, attorney for the Debtor(s) and moves the court for an order approving original attorneys' fees and costs. A detail of the time and costs expended is attached hereto as **Exhibit A**. As set forth in the attached detail, professional fees and costs expended to date are \$4,388.89. Attorney time is charged at \$240.00 per hour for Christina Latta Henry ("CLH") and \$195.00 per hour for Camille Nightingale ("CVN"). This rate is reasonable in light of the experience and skills of counsel. Paralegal time for Christine Turner is charged at \$100.00 per hour ("CAT") and \$100.00 per hour for Theresa Shim ("TS"). This rate is reasonable in light of the experience and skills of the paralegals. Debtor(s) paid counsel \$2,500.00 for attorney fees prior to filing, excluding the filing fee. Since this is the first fee application, the Debtors' attorneys request a total of \$1,888.89 to be approved. At this time Debtors' attorney has only been paid \$1,800 no look fee and is still holding \$700 in trust pending approval of this fee application.

Counsel asks that the court approve the original fees and costs as an administrative expenses pursuant to 11 U.S.C. §503(b). The fees should be paid prior to all creditors until attorney fees and costs are paid in full, excluding payments to the Chapter 13 Trustee.

If the case is eventually dismissed, monies being held by the trustee's office in this case should not be refunded to the Debtor(s) until after payment in full of the trustee's fees and costs and Debtor(s) approved attorney fees and costs. This request is made pursuant to 11 U.S.C. §1326(a)(2).

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1 Respectfully submitted this 5<sup>th</sup> day of April, 2010.

2 SEATTLE DEBT LAW, LLC

3  
4 By: /s/ Christina Latta Henry  
Christina Latta Henry, WSBA# 31273  
5 Attorney for Debtors

6 PROOF OF SERVICE

7 I, Christine A. Turner, under penalty of perjury, declare that on the date(s) indicated  
8 below, I caused a copy of *Notice of Motion, Original Application for Payment of Attorneys' Fees*  
9 *and Costs, Declaration of Counsel in Support of Application and Proposed Order* to be served  
10 on the party(s) listed below via ECF:

11 On April 5, 2010 via ECF

12 David M. Howe [edfcomputer@chapter13tacoma.org](mailto:edfcomputer@chapter13tacoma.org)

13 US Trustee [USTPRegion18.SE.ECF@usdoj.gov](mailto:USTPRegion18.SE.ECF@usdoj.gov)

14 Bradley Boswell Jones [bbjlaw301@hotmail.com](mailto:bbjlaw301@hotmail.com)

15 Aaron C. MAssser [ECF@rcolegal.com](mailto:ECF@rcolegal.com)

16 and to the to the parties listed below and on the USBC Matrix extracted from PACER and  
17 attached hereto as **Exhibit B**.

18 Alaska USA Federal Credit Union  
19 PO Box 196613  
Anchorage, AK 99519-6613

20 PRA Receivables Management LLC  
21 PO Box 41067  
Norfolk, VA 23541

22 CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE  
23 OF WASHINGTON THAT THE FOREGOING STATEMENT IS BOTH TRUE AND  
CORRECT.

24 Executed this 5<sup>th</sup> day of April, 2010 at Seattle, Washington.

25  
26 /s/ Christine A. Turner  
Christine A. Turner

# Fee Report

Christina Henry  
Senior Attorney

Date	Narrative	Time
05/04/2009	Initial meeting with S. McMurray re potential bankruptcy filing	N/A
05/06/2009	Meeting with S. McMurray in Kirkland re signing of contract and information needed for worksheets and bankruptcy filing.	0.8
07/22/2009	Prepare bankruptcy schedules, means test and review paystubs; e-mail to Debtor for review and additional information; prepare short file; prepare amended petition to change jurisdiction to Tacoma.	4.2
08/05/2009	Finalize income and expenses and paystubs for means test.	0.4
08/10/2009	Prepare Chapter 13 Plan.	0.8
08/11/2009	File Amended Chapter 13 plan and amended income and expenses	0.4
08/11/2009	E-mail to R. Wilson re filing and service of Chapter 13 plan and trustee documents.	0.1
08/27/2009	Attended 341 Meeting of Creditors in Tacoma.	2.5
09/03/2009	Review e-mail from J. Robson re Chapter 13 plan changes needed and need for adversary proceeding.	0.2
10/22/2009	Finalized language for agreed order on adversary proceeding with Wells Fargo.	.3
11/04/2009	E-mail from J. Brown re status of confirmation issues.	0.1
01/21/2010	E-mail from J. Brown re need to file amended plan for confirmation.	0.1
02/01/2010	Meeting with C. Nightingale re means test issues and need to 60 month plan.	0.1
02/01/2010	E-mail of Plan to J. Brown re feasibility prior to filing.	0.1
02/02/2010	Meeting with S. McMurray re sign off on Amended Plan and need for 60 months.	0.4
02/02/2010	Review e-mail from J. Brown re need to increase payments; meeting with C. Nightingale re plan feasibility and changes needed.	0.3
02/24/2010	Signature on plan confirmation order	<u>0.1</u>
		10.9
	10.9 hrs @\$240.00	\$2,616.00

Camille V. Nightingale  
Associate Attorney

Date	Narrative	Time
09/04/09	Email paystubs to trustee; examine six months pre-filing paystubs for means test; analyze problems with means test/plan; email trustee's office re changes to means test	1.5
08/11/09	Amendments to Chapter 13 Plan	.5
01/20/10	Calculations for and amendments to plan and means test	.75
01/29/20	Calculations for and amendments to plan and means test	1.5
02/01/10	Finish plan and means test amendments	.75

*Exhibit A*

Date	Narrative	Time
02/04/10	Make small changes to plan and amend schedules I&J	<u>.5</u>
		5.5
	5.5 hrs @ \$195/hour	\$1,072.50

Christine Turner  
Paralegal Time

Date	Narrative	Time
08/05/09	E-mail to client re Wells Fargo letters re bank account dated 7/21/09	.1
08/11/09	Review and preparation of Amended Plan for Service	.2
08/12/09	Prepare Proof of Service re Amended Plan	.2
02/26/10	Prepare Declaration of No Objection re Confirmation of Amended Plan with Proof of Service	.2
04/05/10	Review file, time and cost report, fee reports in connection with Original Application for Reimbursement of Fees and Costs; draft Notice, Motion, Declaration of Counsel, Proposed Order and Proof of Service for Same; review same with Senior counsel; finalize pleadings and prepare documents for service	<u>2.1</u>
		2.8
	2.8 hrs @ \$100	\$280.00

Lisa Huston  
Paralegal Time

Date	Narrative	Time
09/22/2009	Prepare Complaint for strip off of the 2 <sup>nd</sup> mortgage lien.	1.5
09/28/2009	Serve Summons and Complaint on 2 <sup>nd</sup> mortgage lender and prepare proof of service.	0.3
10/19/2009	E-mail from B. Jones re Wells Fargo agreeing that there was no dispute on value and asking for an agreed order.	0.2
10/23/2009	Prepared Agreed order for Wells Fargo re Adversary proceeding.	<u>0.2</u>
		1.9
	1.9 hours at \$100.00 per hour	\$190.00

Theresa A. Shim  
Paralegal Time

Date	Narrative	Time
05/06/2009	Prepare Engagement Letter and Intake Packet	.3
08/07/2009	Telephone call from client re Notice of Deadlines	.1
08/11/2009	Preparation of e-mailed Trustee with Info Sheet & Taxes	.1
08/12/2009	Preparation of e-mail to Trustee with paystubs	.1

Date	Narrative	Time
08/19/2009	Preparation of e-mail to Trustee re bank statements	.1
08/27/2009	Preparation of e-mail to Trustee with six months paystubs	.1
02/03/2009	Prepare Note, Motion, Proposed Order and Proof of Service re Motion to Confirm Amended Plan; prepare same for mailing	<u>.4</u>
		1.2
	1.2 hrs @ \$100.00 per hour	\$120.00

TOTAL TIME AND COSTS		Time
Christina Latta Henry		\$2,616.00
Camille V. Nightingale		1,072.50
Christine A. Turner		280.00
Lisa A. Huston		190.00
Theresa A. Shim		<u>120.00</u>
		\$4,278.50
Total Fees:		\$4,278.50
Total Costs:		<u>110.39</u>
Total Requested Reimbursement:		\$4,388.89

McMurray

Cost & Expense Report

DATE	DESCRIPTION	AMOUNT
05/06/09	Copies 107 @ .20	21.40
08/11/09	Postage 13 x .44	5.72
08/30/09	Copies 122 @ .20	24.40
09/28/09	Postage	5.71
02/03/10	Postage 26 x .44	11.44
02/05/10	Postage 31 x .44	13.64
04/05/10	Postage 27 x .44	11.88
04/05/10	Copies 81 @ .20	16.20
	Total Costs:	\$110.39

Label Matrix for local noticing  
0981-3  
Case 09-45271-PBS  
Western District of Washington  
Tacoma  
Mon Apr 5 13:21:12 PDT 2010

Alaska USA Federal Credit Union  
PO Box 196613  
Anchorage, AK 99519-6613

Bank of America  
PO Box 15026  
Wilmington, DE 19850-5026

FIA Card Svcs, NA AKA Bank of America  
by PRA Receivables Management, LLC  
PO Box 12907  
Norfolk VA 23541-0907

GMAC Mortgage, LLC  
Attn: Mail Code 507-345-110  
3451 Hammond Avenue  
Waterloo, IA 50702-5300

(p)INTERNAL REVENUE SERVICE  
CENTRALIZED INSOLVENCY OPERATIONS  
PO BOX 21126  
PHILADELPHIA PA 19114-0326

Kinecta Federal Credit Union  
Formerly Hughes Aircraft  
1440 Roscrans Ave.  
PO Box 10003  
Manhattan Beach, CA 90267-7503

PRA Receivables Management LLC  
P.O. BOX 41067  
NORFOLK, VA 23541-1067

Sallie Mae Inc. on behalf of  
United Student Aid Funds, Inc.  
USAF  
Attn: Bankruptcy Litigation Unit E3149  
P.O. Box 9430  
Wilkes-Barre, PA 18773-9430

Paul B Snyder  
1717 Pacific Ave  
Tacoma, WA 98402-3234

AT&T Wireless  
PO Box 68056  
Anaheim Hills, CA 92817-0856

American Express  
P.O. Box 981535  
El Paso, TX 79998-1535

CR Evergreen, LLC  
MS 550  
PO Box 91121  
Seattle, WA 98111-9221

GMAC Mortgage  
Attn: Customer Care  
PO Box 1330  
Waterloo, IA 50704-1330

Christina Latta Henry  
Seattle Debt Law LLC  
705 2nd Avenue Ste 1050  
Seattle, WA 98104-1759

K. Michael Fitzgerald  
600 University Street  
Ste 2200  
Seattle, WA 98101-4152

Aaron C Masser  
Routh Crabtree Olsen PS  
3535 Factoria Blvd SE Ste 200  
Bellevue, WA 98006-1263

Portfolio Recovery Associates, LLC  
PO Box 41067  
Norfolk, Va 23541-1067

Sallie Mae PC Trust  
C/O Sallie Mae, Inc.  
220 Lasley Ave  
Wilkes-Barre, PA 18706-1496

US Trustee  
Office of the United States Trustee  
United States Courthouse  
700 Stewart St., Ste. 5103  
Seattle, WA 98101-4438

Alaska Federal Credit Union  
PO Box 196613  
Anchorage, Alaska 99519-6613

American Express Bank, FSB  
POB 3001  
Malvern, PA 19355-0701

Chase  
PO Box 15298  
Wilmington, DE 19850-5298

GMAC Mortgage LLC  
Routh Crabtree Olsen, P.S.  
c/o Aaron Masser  
3535 Factoria Blvd SE #200  
Bellevue, WA 98006-1263

David M Howe  
1551 Broadway, Ste 600  
Tacoma, WA 98402-3320

Kinecta Federal Credit Union  
Card Department  
PO Box 3038  
Evansville, IN  
47730-3038

Shirlene McMurray  
1911 SW Campus Dr  
#369  
Federal Way, WA 98023-6473

Sallie Mae  
P.O. Box 9500  
Wilkes-Barre, PA 18773-9500

Seattle Debt Law, LLC  
705 Second Ave. Suite 501  
Seattle, WA 98104-1715

United States Trustee  
700 Stewart St Ste 5103  
Seattle, WA 98101-4438

*Exhibit B.*



Wells Fargo Bank  
MAC X2303-01A  
1 Home Campus  
Des Moines, IA 50328-0001

Wells Fargo Bank NA  
PO Box 10438  
Des Moines, IA 50306-0438

Wells Fargo Bank, NA  
Correspondence  
PO Box 4233  
Portland, OR 97208-4233

Wells Fargo Bank, NA  
c/o Customer Management  
PO Box 95225  
Albuquerque, NM 87199-5225

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

IRS  
PO Box 21126  
Philadelphia PA 19114

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Shirlene McMurray  
1911 SW Campus Dr  
#369  
Federal Way, WA 98023-6473

End of Label Matrix	
Mailable recipients	33
Bypassed recipients	1
Total	34